

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13897

PERMIT 8983

LICENSE 7135

ORDER ALLOWING CHANGE IN CHARACTER OF USE

WHEREAS, License 7135 was issued to Estate of Carolyn E. Flower and was recorded with the County Recorder of Calaveras County on January 15, 1965, at page 449, Book 192, of the official records, and

WHEREAS, said license was subsequently assigned to Patricia F. Winston, Trustee, and

WHEREAS, the change in character of use under said license for which a request was submitted on June 8, 1970, will not operate to the injury of any other legal user of water;

NOW, THEREFORE, IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said License 7135 to a character of use described as follows, to wit:

IRRIGATION, STOCKWATERING, AND RECREATIONAL

Dated: **JUN 19 1970**

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13897

PERMIT 8983

LICENSE 7135

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS License 7135 was issued to Estate of Carolyn E. Flower and was recorded with the County Recorder of Calaveras County on January 15, 1965, at page 449, Volume 192, of the official records, and

WHEREAS said license was subsequently assigned to Patricia F. Winston, Trustee, and

WHEREAS the State Water Resources Control Board has found that the change in place of use under said license for which a request was submitted on June 8, 1970, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said place of use;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 7135 to a place of use described as follows, to wit:

STOCKWATERING AND RECREATIONAL USE AT RESERVOIR WITHIN SECTIONS 5 AND 6, T1N, R12E, MDB&M, AND SECTIONS 31 AND 32, T2N, R12E, MDB&M, AND IRRIGATION OF 120 ACRES AND STOCKWATERING ALONG LITTLEJOHNS CREEK WITHIN SECTIONS 9, 16, 21 AND 28, T1N, R12E, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD.

Dated: OCT 13 1971

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13897

PERMIT 8983

LICENSE 7135

THIS IS TO CERTIFY, That

Estate of Carolyn E. Flower

c/o Mrs. Patricia F. Winston, Executrix

1903 Delaware Street

Berkeley, California 94709

has made proof as of September 12, 1963,

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

Littlejohns Creek in Calaveras County

tributary to San Joaquin River

for the purpose of irrigation and stockwatering uses under Permit 8983 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from August 15, 1950, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed seven hundred ninety (790) acre-feet per annum to be collected from about November 1 of each year to about March 1 of the succeeding year.

Maximum withdrawal in any one year has been 590 acre-feet.

Licensee shall maintain and operate facilities to ensure that all flow entering her reservoir between March 1 and November 1 and such flow entering her reservoir between November 1 and March 1 as may be required for the satisfaction of prior rights will pass downstream unhindered by any of her works.

The point of diversion of such water is located :

South sixty-nine degrees fifty-five minutes west (S69°55'W) four thousand seven hundred thirty (4730) feet from NE corner of Section 5, T1N, R12E, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 5.

The points of redistribution are movable points along Littlejohns Creek between limits as follows:

- (1) Due south six hundred sixty (660) feet from NW corner of Section 9, T1N, R12E, MDB&M, being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 9.
- (2) Due south one thousand nine hundred eighty (1980) feet from NE corner of Section 28, T1N, R12E, MDB&M, being within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 28.

A description of the lands or the place where such water is put to beneficial use is as follows:

Irrigation of 120 acres and stockwatering along Littlejohns Creek within Sections 9, 16, 21 and 28, T1N, R12E, MDB&M, as shown on map filed with State Water Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

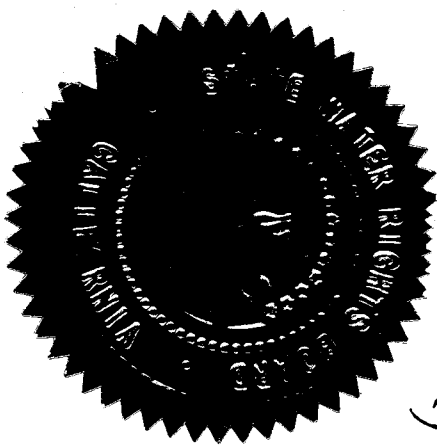
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 1965



L. K. Hill
L. K. Hill
Executive Officer

7-27-66 Ownership Chgd to
Patricia J. Winston, Trustee
under the Testamentary
Trust Established by the Will
of Carolyn E. Flower, deceased

11-26-86 Ownership Chgd to Estate of Carolyn E. Flower

4-18-89 asgd to Patricia J. Winston, Trustee

6/11/97 assigned to Caprock
Three, LLC.

12/08/1999 ASGD TO FLOWERS RANCH, LLC.

LICENSE 7135

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Carolyn E. Flower

JAN 14 1965

DATED

47669 8-81 3M ① SPO

MAR 11 '64 W.G.P.